GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA

STARRED QUESTION NO:252
ANSWERED ON:20.03.2017
Working Group on Migration
Mullappally Shri Ramachandran

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a)whether the Working Group on Migration constituted by the Government has recommended legal framework to protect the migrant workers in the country; and
(b)if so, the details thereof along with the follow-up action taken by the Government thereon?

Answer

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI BANDARU DATTATREYA)
(a) & (b): A statement is laid on the Table of the House.

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STATEMENT REFERRED TO IN REPLY TO PART (a) AND (b) OF THE LOK SABHA STARRED QUESTION NO. 252 FOR ANSWER ON 20.03.2017 REGARDING WORKING GROUP ON MIGRATION.

1. A legal framework to protect migrant workers in the country was put in place with the enactment of the Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979.
2. The Task Force constituted for amendment of Labour Laws concerning women and children, had inter-alia, recommended that the title 'Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979' may be changed as 'Inter-State Migrant Workers (Regulation of Employment and Condition of Service) Act, 1979' in order to make it gender neutral.
3. Accordingly, a Note for the Cabinet was prepared for seeking the approval of the Cabinet. The Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Amendment Bill, 2011 was introduced in Rajya Sabha on 18.08.2011 which was referred to the Standing Committee on Labour on 24.08.2011 by the Speaker, Lok Sabha for examination and report. The Standing Committee recommended that the Bill should be returned to the Government with the request to bring a comprehensive amendment in the Act so that the problems of the migrant workers could be addressed in its entirety.
4. Subsequently, a Tripartite Expert Committee was constituted on 09.09.2014 under the Chairmanship of the Additional Secretary (L&E) to bring comprehensive amendments in the Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979 and based on its recommendations the Government decided to explore the option for amendments in the Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979 through executive order. However, it was later decided that four Codes will be formulated which will cover all the existing Legislations on Labour. It is proposed to incorporate the above mentioned recommendations with respect to migrant workers in the Code on Occupational Safety, Health and Working Conditions (OSH).

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